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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

**JMR GROUP, LLC d/b/a MCCOY
FREIGHTLINER,**

Plaintiff,

v.

TROY MUNDEN,

Defendant.

Case No. 3:20-cv-00266-MO

**STIPULATED ORDER GRANTING
PLAINTIFF'S MOTION FOR
TEMPORARY RESTRAINING ORDER**

This matter came before the Court on Plaintiff JMR Group, LLC d/b/a McCoy Freightliner's ("McCoy Freightliner") Motion for Temporary Restraining Order ("TRO"). McCoy Freightliner appeared through Shannon Armstrong of Holland & Knight LLP. Defendant Troy Munden ("Munden") appeared through Ryan Bledsoe of Tonkon Torp LLP.

The Court finds and rules as follows:

- A. Munden was previously employed by McCoy Freightliner;
- B. Munden signed a Non-Disclosure and Non-Solicitation Agreement with McCoy Freightliner on January 2, 2020 (the “Agreement”);
- C. On February 10, 2020, Munden forwarded five emails from his McCoy Freightliner email to his personal email address at troym1970@yahoo.com, including the 2020 Pricing Model and Recruiting Contact List, as defined in McCoy Freightliner’s motion papers. The 2020 Pricing Model and Recruiting Contact List are both emails that can be provided to the Court under seal, if necessary. By defining these documents herein, this Court is not making any factual determination about whether the documents are trade secrets or Confidential Information. Munden has represented that he has permanently deleted to the best of his ability those five emails, including the 2020 Pricing Model and Recruiting Contact List, and that he has not shared those emails or the information in them with anyone. Munden has represented further that he has no Confidential Information, as defined in the Agreement, in his possession, and that he has not used, disclosed or shared with anyone any Confidential Information other than while employed at and on behalf of McCoy Freightliner in the ordinary course of his job.

IT IS ORDERED that McCoy Freightliner’s Motion for Temporary Restraining Order is GRANTED as follows:


1. Until the expiration of 30 days from the date of this order, or until such time as the parties agree or good cause is shown to terminate, amend, or supersede this Order, Munden shall be immediately enjoined from:
 - (i) violating the Agreement;
 - (ii) possessing, using, or disclosing McCoy Freightliner’s trade secrets and Confidential Information;
 - (iii) possessing, using, or disclosing the 2020 Pricing Model or the Recruiting

Contact List;

- (iv) soliciting, attempting to solicit, or assisting MB-Wilsonville to solicit McCoy Freightliner's employees or independent contractors to leave their employment with McCoy Freightliner; and
 - (v) calling on or soliciting McCoy Freightliner's customers or prospective customers.
- 2. All parties reserve all claims, rights, and defenses.
 - 3. This injunction shall be in force immediately without the posting of any bond.

IT IS ORDERED.

This 20 day of February, 2020.


UNITED STATES DISTRICT JUDGE

SUBMITTED BY:

HOLLAND & KNIGHT LLP

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